

FILE COPY**PATENT****UNITED STATES PATENT AND TRADEMARK OFFICE**
(Case No. MBHB02-763-B; 400/129)

IN THE APPLICATION OF:

McSwiggen, et al.

Serial No. 10/667,271

Filed: September 16, 2003

Title RNA Interference Mediated
Inhibition Of Hepatitis C Virus
(HCV) Gene Expression Using Short
Interfering Nucleic Acid (siNA)

Examiner: To Be Assigned

Group Art Unit: 1632

Confirmation No.: 8658

Fax No.: (703) 746-9195

FACSIMILE TRANSMITTAL LETTERCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450Attn: Office of Initial Patent Examination
Filing Receipt Corrections

Dear Sir:

In regard to the above identified application,

1. We are transmitting herewith the attached:
 - a) Request for Corrected Filing Receipt;
 - b) Copy of Updated Filing Receipt with changes noted thereon;
 - c) Return postcard
2. With respect to fees:
 - a) It is believed no fee is due at this time.
3. **GENERAL AUTHORIZATION:** Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

MCDONNELL BOEHNNEN HULBERT & BERGHOFF LLP
300 SOUTH WACKER DRIVE
CHICAGO, ILLINOIS 60606
TELEPHONE (312) 913-0001
FACSIMILE (312) 913-0002

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4. CERTIFICATE UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being transmitted with the USPTO facsimile number 703/746-9191, according to 37 CFR § 1.6(d) addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, ATTN: Office of Initial Patent Examination's Filing Receipt Corrections, on this 14 day of October, 2004.

Respectfully submitted,
McDonnell Boehnen Hulbert & Berghoff LLP

Date: October 14, 2004

By: 

Lisa M.W. Hillman
Registration No. 43,673

MCDONNELL BOEHNEN HULBERT & BERGHOFF LLP
300 SOUTH WACKER DRIVE
CHICAGO, ILLINOIS 60606
TELEPHONE (312) 913-0001
FACSIMILE (312) 913-0002

PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. MBHB02-763-B; 400/129)

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Title RNA Interference Mediated Inhibition Of Hepatitis C Virus (HCV) Gene Expression Using Short Interfering Nucleic Acid (siNA)

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Examiner: TBA

Group Art Unit: 1632

Confirmation No.: 8658

Fax No.: (703) 746-9195

REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**Attention: Office of Initial Patent Examination's
Filing Receipts Corrections**

Dear Sir:

1. Attached is a copy of the updated filing receipt received from the PTO in the above-referenced application for which issuance of a new corrected filing receipt is respectfully requested.

2. There is an error with respect to the following data, which is incorrectly entered.

Error in

Domestic Priority data as claimed by applicant:

This application is a CIP of 10/444,853 05/23/2003

1

MCDONNELL BOEHNEN HULBERT & BERGHOFF LLP
300 SOUTH WACKER DRIVE, SUITE 3200
CHICAGO, ILLINOIS 60606
TELEPHONE (312) 913-0001
FACSIMILE (312) 913-0002

which is a CIP of PCT/US03/05043 02/20/2003
and is a CIP of PCT/US03/05043 02/20/2003
and is a CIP of PCT/US02/09187 03/26/2002
and is a CIP of PCT/US03/05043 02/20/2003
which claims benefit of 60/401,104 08/05/2002
and claims benefit of 60/358,580 02/20/2002
and claims benefit of 60/363,124 03/11/2002
and claims benefit of 60/386,782 06/06/2002
and claims benefit of 60/406,784 08/29/2002
and claims benefit of 60/408,378 09/05/2002
and claims benefit of 60/409,293 09/09/2002
and claims benefit of 60/440,129 01/15/2003

Correct Data

Domestic Priority data as claimed by applicant:

This application is a CIP of 10/444,853 05/23/2003
and is a CIP of PCT/US03/05043 02/20/2003
which is a CIP of PCT/US02/09187 03/26/2002
and said PCT/US03/05043 02/20/2003
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and claims benefit of 60/408,378 09/05/2002
and claims benefit of 60/409,293 09/09/2002
and claims benefit of 60/440,129 01/15/2003

3. The correction is not due to any error by applicant and no fee is due.

Respectfully submitted,
McDonnell, Boehnen, Hulbert & Bergboff LLP

Date: October 14, 2004

By: 

Lisa M.W. Hillman
Registration No. 43,673



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/667,271	09/16/2003	1632	575	MBHB02-763-B(400/129))	24	35	2

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MCDONNELL BOEHNNEN HULBERT & BERGHOFF LLP
300 S. WACKER DRIVE
32ND FLOOR
CHICAGO, IL 60606

CONFIRMATION NO. 8658

-UPDATED FILING RECEIPT



OC000000013235087

Date Mailed: 07/14/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

James McSwiggen, Boulder, CO;
Leonid Beigelman, Longmont, CO;
Dennis Macejak, Arvada, CO;

Domestic Priority data as claimed by applicant

This application is a CIP of 10/444,853 05/23/2003
which is a CIP of PCT/US03/05043 02/20/2003
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Foreign Applications

UNITED STATES OF AMERICA PCT/US03/05043 02/20/2003
UNITED STATES OF AMERICA PCT/US02/09187 03/26/2002

If Required, Foreign Filing License Granted: 01/02/2004

BEST AVAILABLE COPY

Projected Publication Date: 10/21/2004

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

RNA interference mediated inhibition of hepatitis C virus (HCV) gene expression using short interfering nucleic acid (siNA)

Preliminary Class

514

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

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NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).